

Serial No. 10/553,547

Art Unit: 2837
Examiner: Andrew R. Millikin**REMARKS**

In response to the Patent Office Letter of November 13, 2008, the Applicant respectfully requests re-examination and reconsideration. To continue the prosecution of this application the Applicant has now filed a Request For Continued Examination (RCE). In this way the Examiner can now give further consideration to the amended claims and accompanying arguments.

In the Patent Office Action of November 13, 2008 is noted that the Examiner has indicated that claims 2, 3, 6-8, 13 and 18 are now allowed and that claims 14-17, 19 and 20 contain allowable subject matter. The Examiner had further set forth reasons for allowance. The Applicant has also added new claims 22-26 that are all dependent claims relating to either claim 13 or claim 19.

In the Patent Office Letter the Examiner has presented a rejection under 35 U.S.C. §112 pertaining to claims 14-17 and 19-20. The Applicant has carefully reviewed the objections made by the Examiner and has made appropriate amendments in the claims, particularly in claims 14, 16, 19 and 20. With these amendments, the rejections raised by the Examiner should now be overcome. In addition, the Applicant has also reviewed all other dependent claims and has made additional amendments in these claims where appropriate in order to have a proper antecedent basis for all terms. Thus, further clarifying amendments have been made in claims 3, 6, 7, 16-18 and 20. The Applicant has also added new claims 21-26 which should be in good order.

More particularly, and regarding the rejection of claims 19 and 20, it is noted that reference to "overtone" and "a control module allowing to teach" has now been deleted from claim 19. Instead reference is made to a memory device for compiling data corresponding to a desired sound characteristic including a partial tone spectrum for each selected tone in dependence on the measured values of each sensor. Reference is clearly made in the specification of the present application to a partial tone spectrum for each selected tone. With the amendments to claims 19 and 20 it is believed that the inventor had possession of the claimed invention, and that one skilled in the art, from the description in the specification, would be enabled to make and/or use the present invention.

Even more particularly, and regarding the rejection of claims 14-17 in paragraph 6 of the Office Action, it is noted that substantial amendments have been made in particular in claim 14.

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Such terms as "using, respectively", "combining the sensor data signal", and "and wherein limited to the sensor data" have been either deleted or substantially changed to make the reading of these claims clear. Regarding the rejection of claims 19-20 in paragraph 7 of the Office Action, it is noted that substantial amendments have been made in particular in claim 19. For example, reference to "overtones" and "allowing to teach" has now been deleted from claim 19. Claim 19 now recites, inter alia, a memory device for compiling data corresponding to a desired sound characteristic including a partial tone spectrum for each selected tone in dependence on the measured values of each sensor; a tone modification device coupled from the tone control device for controlling the composition of the partial tone spectrum; and a control module for controlling the tone modification device so that a tone building process or a tone decay process may be individually selected and combined in order to be delivered in real time to the vibrating sound board and also to control an amplifier with respect to the volume of vibrating energy to be delivered into the vibrating sound board.

Support for the "tone modification device" recited in the claims is found in the present specification on page 15 continuing on the page 16 where it is indicated that the tone modification device may amplify, raise or prolong the structure, the construction and the composition of the partial tone spectrum of each individual tone. The data received from the tone control device are for this purpose accordingly prolonged, supplemented, amplified and otherwise altered. This allows individual configuration, augmentation and formation, tone for tone, in accordance with FIG. 4 to 11 and the associated parts of the description.

It is believed that with the amendments in the claims, all claims in this application should now be in condition for allowance.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicants respectfully submit that all of the claims pending in the above-identified application are in condition for allowance, and a notice to that effect is earnestly solicited.

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If the present application is found by the Examiner not to be in condition for allowance, then the Applicants hereby request a telephone or personal interview to facilitate the resolution of any remaining matters. Applicants' attorney may be contacted by telephone at the number indicated below to schedule such an interview.

The U.S. Patent and Trademark Office is authorized to charge any additional fees incurred as a result of the filing hereof to our Deposit Account No. 19-0120.

Respectfully submitted,
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